

ASSEMBLY BILL

No. 542

Introduced by Assembly Member Wilk

February 23, 2015

An act to amend Sections 76001 and 76002 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 542, as introduced, Wilk. Community colleges: early and middle college high schools.

Existing law authorizes the governing board of a community college district to admit to any community college under its jurisdiction as a special part-time or full-time student in any session or term any student who is eligible to attend community college pursuant to authorization given by the governing board of a school district, as specified. Existing law requires the governing board of the community college district to assign a low enrollment priority to the special part-time or full-time students, except for a student attending a middle college high school if the student is seeking to enroll in a community college course that is required for the student's middle college high school program.

This bill would also except from the low enrollment priority requirement a student attending an early college high school if the student is seeking to enroll in a community college course that is required for the student's early college high school program.

Existing law, for purposes of receiving state apportionments, authorizes a community college district to include high school pupils who attend a community college as special part-time or full-time students in its report of full-time equivalent students only if those pupils are enrolled in community college classes that meet certain criteria.

This bill would provide that the authorization for a community college district to include high school pupils who attend a community college as special part-time or full-time students in its report of full-time equivalent students does not apply to a student attending a middle college high school or early college high school if the student is enrolled in a community college course that is required for the student's middle college or early college high school program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature that this act
2 eliminate statutory barriers to the operation of existing early and
3 middle college high schools and the establishment of new early
4 and middle college high schools.

5 SEC. 2. Section 76001 of the Education Code is amended to
6 read:

7 76001. (a) The governing board of a community college district
8 may admit to any community college under its jurisdiction as a
9 special part-time or full-time student in any session or term any
10 student who is eligible to attend community college pursuant to
11 Section 48800 or 48800.5.

12 (b) If the governing board *of the community college district*
13 denies a request for a special part-time or full-time enrollment at
14 a community college for a pupil who is identified as highly gifted,
15 the *governing board of the community college district* shall record
16 its findings and the reasons for denial of the request in writing
17 within 60 days. The written recommendation and denial shall be
18 issued at the next regularly scheduled board meeting that falls at
19 least 30 days after the request has been submitted.

20 (c) The attendance of a pupil at a community college as a special
21 part-time or full-time student pursuant to this section is authorized
22 attendance, for which the community college shall be credited or
23 reimbursed pursuant to Sections 48802 and 76002. Credit for
24 courses completed shall be at the level determined to be appropriate
25 by the school district and community college district governing
26 boards.

1 (d) For purposes of this section, a special part-time student may
2 enroll in up to, and including, 11 units per semester, or the
3 equivalent thereof, at the community college.

4 (e) (1) Except as provided in paragraph (2), the governing board
5 of a community college district shall assign a low enrollment
6 priority to special part-time or full-time students described in
7 subdivision (a) in order to ensure that these students do not displace
8 regularly admitted students.

9 (2) This subdivision does not apply to a student attending a
10 middle college high school as described in Section 11300, *or an*
11 *early college high school as described in Section 11302*, if the
12 student is seeking to enroll in a community college course that is
13 required for the student's middle college *or early college* high
14 school program.

15 SEC. 3. Section 76002 of the Education Code is amended to
16 read:

17 76002. (a) For the purposes of receiving state apportionments,
18 a community college district may include high school pupils who
19 attend a community college within the *community college* district
20 pursuant to Sections 48800 and 76001 in the *community college*
21 district's report of full-time equivalent students (FTES) only if
22 those pupils are enrolled in community college classes that meet
23 all of the following criteria:

24 (1) The class is open to the general public.

25 (2) (A) The class is advertised as open to the general public in
26 one or more of the following:

27 (i) The college catalog.

28 (ii) The regular schedule of classes.

29 (iii) An addenda to the college catalog or regular schedule of
30 classes.

31 (B) If a decision to offer a class on a high school campus is
32 made after the publication of the regular schedule of classes, and
33 the class is solely advertised to the general public through
34 electronic media, the class shall be so advertised for a minimum
35 of 30 continuous days ~~prior to~~ *before* the first meeting of the class.

36 (3) If the class is offered at a high school campus, the class shall
37 not be held during the time the campus is closed to the general
38 public, as defined by the governing board of the school district
39 during a regularly scheduled board meeting.

(4) If the class is a physical education class, no more than 10 percent of its enrollment may be comprised of special part-time or full-time students. A community college district shall not receive state apportionments for special part-time and full-time students enrolled in physical education courses in excess of 5 percent of the *community college* district's total reported full-time equivalent enrollment of special part-time and full-time students.

(b) Subdivision (a) does not apply to a student attending a middle college high school as described in Section 11300, or an early college high school as described in Section 11302, if the student is enrolled in a community college course that is required for the student's middle college or early college high school program.

~~(b)~~
(c) The governing board of a community college district may restrict the admission or enrollment of a special part-time or full-time student during any session based on any of the following criteria:

- (1) Age.
- (2) Completion of a specified grade level.
- (3) Demonstrated eligibility for instruction using assessment methods and procedures established pursuant to Chapter 2 (commencing with Section 78210) of Part 48 and regulations adopted by the Board of Governors of the California Community Colleges.

~~(e)~~
(d) (1) The Chancellor of the California Community Colleges shall prepare and submit to the Department of Finance and the Legislature, on or before March 1, 2004, and March 1 of each year thereafter, a report on the amount of FTES claimed by each community college district for special part-time and special full-time students for the preceding academic year in each of the following class categories:

- (A) Noncredit.
- (B) Nondegree-applicable.
- (C) Degree-applicable, excluding physical education.
- (D) Degree-applicable physical education.

(2) The report prepared pursuant to paragraph (1) may include information required to be reported pursuant to paragraph (4) of subdivision (d) of Section 48800.

- 1 ~~(d)~~
- 2 ~~(e)~~ The Board of Governors of the California Community
- 3 Colleges shall adopt rules and regulations to implement this section.

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